

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JAMES D. ALLEN, aka LLORD J.P. ALLEN,
Plaintiff,
v.
RASHUAN Q. DEAN,
Defendant.

Case No. 1:21-cv-01150-JLT-EPG (PC)

ORDER RE: PLAINTIFF'S
DECLARATION FOR ENTRY OF
DEFAULT

(ECF No. 56)

James D. Allen ("Plaintiff") is a state prisoner proceeding *pro se* in this civil rights action filed pursuant to 42 U.S.C. § 1983.

On October 25, 2022, Plaintiff filed a motion for default judgment, asking the Court to enter default and default judgment because Defendant failed to file a responsive pleading in compliance with this Court's order, which required Defendant to file his responsive pleading within seven days of September 16, 2022. (ECF No. 53). Plaintiff's motion was denied "because Defendant filed his answer on September 22, 2022 (ECF No. 48), and thus complied with this Court's order." (ECF No. 54, p. 2).

On November 3, 2022, Plaintiff filed a declaration for entry of default on the ground that Defendant failed to comply with the Court's September 16, 2022 order. As discussed in the Court's prior order, Defendant complied with the September 16, 2022 order.

\\\

1 Accordingly, the Court will not enter Defendant's default.
2
3 IT IS SO ORDERED.

4 Dated: November 7, 2022

5 /s/ *Eric P. Groj*
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28